

REMARKS

Reconsideration and allowance of the subject application are respectfully requested.

Upon entry of this Amendment, claims 15-31 are all the claims pending in the application.

Claim rejections -- 35 U.S.C. § 112

Claims 15-31 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the Examiner asserts that the language “most susceptible to vibration caused by moving said moving member” is indefinite. Independent claims 15, and 29-31 have been amended, as suggested by the Examiner, and therefore Applicant respectfully requests the Examiner to withdraw the rejection.

Claim rejections -- 35 U.S.C. § 102

Claims 15-22, 30, and 31 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,196,736 to Otsuki.

Claim 15 has been amended to recite the feature of a moving member that has at least two liquid ejecting section groups, each of the liquid ejecting section groups including at least a black nozzle row, a cyan nozzle row, a magenta nozzle row, and a yellow nozzle row. Otsuki only discloses one print head including at least a black, cyan, magenta, and a yellow nozzle row. Therefore, claim 15 is patentable over Otsuki for at least this reason.

Independent claims 30-31 have been amended to recite a similar feature that that of claim 1 discussed above. Therefore, claims 30-31 are patentable for the same reason. Claims 16-22 are patentable over Otsuki based on their respective dependencies.

Claims 15-29 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Application Publication No. 2002/0051033 to Kubota.

Claim 15 recites the feature of a reference liquid ejecting section group. The Examiner maintains that “any one of the groups [disclosed by Kubota] is capable of functioning as a reference liquid ejecting section group”. However, Applicant respectfully notes that to reject a claim under 35 U.S.C. § 102, the cited reference must show the identical invention in as complete detail as contained in the claim, and the elements must be arranged as set forth by the claim. See MPEP § 2131. In the instant case, Kubota does not disclose the claimed reference liquid ejecting section group. Claim 15 is thus patentable over Kubota for this reason.

Independent claim 29 recites a similar feature, and therefore is patentable over Kubota for the same reason. The remaining claims are patentable based on their respective dependencies.

Claim rejections -- 35 U.S.C. § 103

Claim 31 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kubota in view of Otsuki.

Claim 31 recites the feature of a reference liquid ejecting section group. As discussed above, Kubota does not teach this feature. Otsuki does not cure this deficiency. Therefore, claim 31 is patentable over the Kubota and Otsuki combination.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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